

**MINUTES**  
**UTAH DEPARTMENT OF ENVIRONMENTAL QUALITY**  
**UTAH WATER QUALITY BOARD**  
Cannon Health Building Room 125  
288 North 1460 West  
Salt Lake City, Utah 84116  
May 19, 2006  
10:00 AM

**UTAH WATER QUALITY BOARD MEMBERS PRESENT**

Daniel Snarr	Dianne Nielson
Joe Piccolo	Gregory Rowley
Leland Myers	Paula Doughty
Darrell Mensel	Jay Olsen
Neil Kochenour	Ron Sims
Dave Echols	

**DIVISION OF WATER QUALITY STAFF MEMBERS PRESENT**

Walt Baker, Faye Bell, Harry Judd, Ed Macauley, Kiran Bhayani, John Whitehead, Carl Adams, Mike Hanson, Tim Beavers, Rino Dicaldo, Jeff Studenka, Mike Herkimer, Mike Reichert, Dan Griffin, Jodi Gardberg

**OTHERS PRESENT**

<b><u>Name</u></b>	<b><u>Organization Representing</u></b>
Laura Lockhart	Attorney Generals Office
Fred Nelson	Attorney Generals Office
William Barlow	Attorney Generals Office
Doug Thompson	Citizen
Tracy Richardson	Wasatch County Health Dept
Cliff Lillywhite	Ritewood Egg
John Newman	South Valley Water Rec. Fac.
Jim Matsumori	South Valley Water Rec. Fac.

Chair Piccolo called the Board meeting to order at 10:20 a.m. He welcomed those in attendance and invited the members of the audience to introduce themselves.

Chair Piccolo invited Douglas Thompson to come forward. In recognition of Mayor Thompson's service on the Water Quality Board, Chair Piccolo presented him with a clock to thank him for his years of dedication and service on the Board.

**APPROVAL OF MINUTES OF THE MARCH 30, 2006 MEETING**

Mr. Olson said that he noticed one correction to the minutes: Mayor Piccolo's name was listed twice in the members present.

**Motion:**        **It was moved by Mr. Sims and seconded by Mr. Mensel to approve the minutes of the March 30, 2006 Board meeting with the noted correction. The motion was unanimously approved.**

**Water Conservation Day Proclamation:** Mr. Baker explained to the Board that Governor Huntsman will declare June 2, 2006 as “Water Conservation Day.” The purpose of this declaration is to call attention to our need, as citizens of this arid state, to be conservation-minded with our water resources.

**Motion:** It was moved by Mr. Myers and seconded by Dr. Kochenour to support Governor Huntsman’s proclamation declaring June 2<sup>nd</sup> as “Water Conservation Day.” The motion was unanimously approved.

**Ritewood Inc. Notice of Violation:** Ms. Lockhart from the Attorney Generals Office explained to the Water Quality Board that due to recent developments and ongoing negotiations with Ritewood Egg the need to appoint an officer or Board member to conduct a hearing has been postponed. Ms. Lockhart asked to have this item removed from the agenda.

### **RULEMAKING**

**Adoption of Rulemaking to R317-4 Administrative Rules for Onsite Wastewater Systems:** Mr. Hanson explained to the Board the comments that were received during the comment period. Based on the comments received, staff is proposing no changes be made to the proposed rule. Mr. Myers brought up the question whether or not these systems could be considered under R317-3 of the Utah Administrative Code. Discussion of this question followed and it was decided that although it may achieve a similar result the proposed language met the intent of providing a variance procedure.

**Motion:** It was moved by Mr. Echols and seconded by Ms. Doughty to approve staff’s request to adopt the proposed changes to *R317-4 Administrative Rules for Onsite Wastewater Systems*. The motion was unanimously approved.

**Request to initiate Rulemaking to R317-12 Administrative Rules for Water Pollution Control Equipment:** Mr. Dicataldo explained to the Board that since the early 1970’s the Air Quality and Water Quality Boards have been required to certify qualified pollution control facilities for state sales tax exemption. At that time the two boards agreed to have the Air Quality Board promulgate the administrative rules addressing tax exemption for both air and water pollution control facilities. The purpose of the proposed rule is to allow the Division of Water Quality to have rules independent from those formulated by the Division of Air Quality that eliminate some confusing language and add clarifying language that specifically excludes injection wells from qualifying as water quality pollution control facilities.

**Motion:** It was moved by Mr. Olson and seconded by Mr. Rowley to hold off on initiating rulemaking of *R317-12 Administrative Rules for Water Pollution Control* until the June 19, 2006 Board meeting so staff can address concerns in the wording of R317-12-6 (5). The motion was unanimously approved.

### **LOAN PROGRAM**

**Financial Assistance Status Report** – Mr. Macauley updated the Board on the “Summary of Assistance Program Funds” as outlined on page 4.1.

**Funding of South Valley WRF's loan request:** Mr. Dicataldo introduced John Newman, General Manager of South Valley Water Reclamation Facility (SVWRF) and James Matsumori of George K. Baum, representing SVWRF to the Board. SVWRF is requesting financial assistance in the amount of \$20,000,000 at 3.5% interest repayable over 20 years for the design and construction of its wastewater facility upgrade, Phase 4D. Staff recommends granting SVWRF's loan request for the design and construction of Phase 4D of the South Valley expansion project.

**Motion:**        **It was moved by Mr. Myers and seconded by Mr. Sims to approve SVWRF's loan request of \$20,000,000 at 3.5% interest with a 20-year term. The motion was unanimously approved.**

**Refunding of North Davis County Sewer District's Bond:** Mr. Beavers explained that the exact dollar amount was yet to be determined. A handout was distributed to each member breaking down the estimated costs for the Great Salt Lake Water Quality Studies, which the funds will be used for. Following an extensive discussion, the Board voted to give staff additional time to get the cost figures more accurate. It was decided to hold a Board Conference Call on June 2<sup>nd</sup> at 10:00 am to make a motion on this request.

**Motion:**        **Mr. Myers made a motion to agree to restructuring the previously authorized loan subject to receiving the final interest and amount at which point on June 2<sup>nd</sup> the Board will hold a conference call to make a loan authorization. The motion was seconded by Dr. Kochenour and was unanimously approved.**

### **OTHER BUSINESS**

**Update of R317-2 Administrative Rules for Standards of Quality for Waters of the State regarding TDS:** Per the Board's request Mr. Moellmer explained to the Board that the Division of Water Quality has been engaged in studying modifications of TDS criteria contained in the water quality standards. DWQ's purpose is to present its current recommendation and have an open discussion with the Board to solidify a final alternative prior to drafting final language for incorporation into the current triennial review proposed language changes to the existing standards.

### **NEXT MEETING**

The Water Quality Board will be holding its next meeting/Conference Call on June 2, 2006 at 10:00 a.m.

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Joe Piccolo  
Water Quality Board Chairman